

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Makoto YUASA, et al.

GAU: 1626

SERIAL NO: 10/591,658

EXAMINER: Fierro, Alicia

FILED: August 15, 2007

FOR: NIOSOME HAVING METAL PORPHYRIN COMPLEX EMBEDDED THEREIN,
PROCESS FOR PRODUCING THE SAME AND DRUG WITH THE USE
THEREOF

NOTICE OF APPEAL

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Applicants hereby appeal to the Board of Appeals from the decision dated November 27, 2009

The items checked below are appropriate:

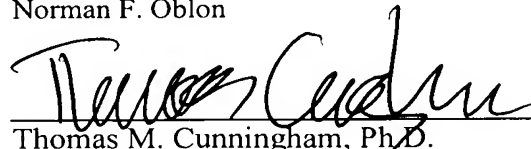
- ☐ A Petition for Extension of Time Under 37 C.F.R. §1.136 was filed for _____ months.
- ☒ A timely response to the final rejection has not been filed, as provided in 841 O.G. 1411.
- ☒ A Petition for Extension of Time for filing the Notice of Appeal is attached.
- ☐ A Pre-Appeal Brief Request for Review is attached.

Fee: \$540.00

- ☐ Applicant claims small entity status. See 37 CFR 1.27.
- ☒ Credit card payment is being made online (if electronically filed), or is attached hereto (if paper filed), covering any required fees.
- ☐ Charge to Deposit Account No. 15-0030.
- ☒ Please charge any additional fees or credit any overpayment of fees required for filing the Notice of Appeal to Deposit Account No. 15-0030.
- ☒ If this notice is not considered timely filed by the U.S. Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to Deposit Account No. 15-0030.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, L.L.P.
Norman F. Oblon



Thomas M. Cunningham, Ph.D.
Registration No. 45,394

Customer Number

22850

Tel. (703) 413-3000
Fax. (703) 413-2220
(OSMMN 07/09)